IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE CIVIL JURISDICTION

APPEAL FROM ORDER NO. 700 OF 2003
IN
NOTICE OF MOTION NO. 3405 OF 2003
IN
L.C. SUIT NO. 4187 OF 2003

Sampatlal Sohanlal Jain .. Appellant.

V/s.

The Municipal Corporation of Gr.B'bay. .. Respondent

Shri A.S. Malvankar for the Appellant.
Shri J. Xavier for Respondent.

CORAM : V.C. DAGA, J.
DATED : 10.08.2004.

PC:-

Heard rival parties. This appeal is directed against the order of the trial court, refusing grant of ad- interim relief in favour of the plaintiff/ appellant. The appeal is pending in this court since September, 2003 and since then the order of status-quo is operating. The respondent corporation has also not taken any steps to see that the interim relief is vacated.

At this juncture, it will not be out of place to mention that the Appeal is

directed against the order, refusing to grant ad-interim injunction, the notice of motion is still pending for consideration.

In the above facts and circumstances, interest of justice would be met by directing the trial court to dispose of the notice of motion on its own merits within eight weeks from the date of receipt of the writ of this order. In the meantime, the parties shall maintain status-quo.

The parties are directed to appear before the trial court.

The parties and the trial court would be at liberty to act on an ordinary copy of this order duly authenticated by the Personal Associate/ Associate of this Court, as true copy.

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